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provided in response to a telecommunication network trigger, the telecommunication network trigger based upon a menu code dialed from an originating party, the menu code including at least one of “*M” and “#M”.

Remarks

A Final Office Action dated January 23, 2001 was provided in the parent application Serial No. 09/044,618. Claims 1-38 were pending in the parent application. In that Final Office Action, the Examiner rejected claims 1, 3-5, 8-10, 12, 14-16, 19-21 and 23 pursuant to 35 U.S.C. § 103(a) as being unpatentable over Furman (U.S. Patent No. 5,465,295) in view of Garland (U.S. Patent No. 5,182,766). Claims 24, 27-31 and 34-37 were rejected pursuant to 35 U.S.C. § 103(a) as unpatentable over Furman in view of Garland and further in view of Mirville et al. (U.S. Patent No. 5,745,553). Claims 2 and 13 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Furman in view of Garland and further in view of McConnell (U.S. Patent No. 5,436,957). Claims 25 and 32 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Furman in view of Garland in view of Mirville and further in view of McConnell. Claims 6 and 17 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Furman in view of Garland in view of Strauss et al. (U.S. Patent No. 5,864,612). Claims 7, 11, 18 and 22 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Furman in view of Garland in further view of Mirville. Claims 26 and 33 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Furman in view of Garland in view of Mirville and further in view of Bell-Atlantic (Residence White Pages).

Claim 38 was allowed.

INDEPENDENT CLAIMS 1, 12 AND 23:

The amendment to claims 1, 12 and 23 above was proposed by the undersigned in an interview on March 16, 2001 with Examiner Foster in the parent application 09/044, 618, filed March 19, 1998. The amendment was based on a suggestion by the Examiner. The Examiner

indicated that the amendment above distinguishes over Furman, but requested submittal of this response for a possible further search or further consideration.

Limitations of claims 1, 12 and 23 distinguish over Furman in combination with Garland. In particular, even if Furman and Garland were combined, a system and method different from the claims would have resulted.

Furman discloses controlling the routing of a telephone call (col. 1, lines 10-11 and 29-32). To avoid memorizing different numbers associated with an individual, only one of the numbers and a suffix code is needed to call any of the numbers (col. 1, lines 32-46 and col. 3, lines 3-16). A table of numbers and associated suffixes for a subscriber is maintained for routing calls (col. 3, lines 48-58 and Figure 2). The suffixes assigned to each number correspond to an alphabetical representation of the expected number, such as F for fax or VM for voice mail (col. 3, lines 48-58 and col. 4, lines 47-58). Based on the number and suffix dialed, the call is routed to the appropriate destination (col. 4, lines 34-46 and col. 7, lines 3-6). However, Furman does not disclose using an alphabetical abbreviation for a name of a telecommunication service where a subscription to the telecommunications service is initially established.

Garland discloses an arrangement for minimizing customer dialing for vendors requiring substantially more dialing than a destination telephone number (e.g. speed dialing including a bank PIN number) (col. 2, lines 9-17; col. 3, lines 44-51). In order to dial a long string of numbers, different delimiters and associated functions (e.g. pause) are provided (col. 3, lines 1-17). Functions include placing a service order with a PIN (col. 3, lines 30-43) and routing or further number entry (col. 2, lines 50-64). For example, two different embodiments described in detail show speed dialing numbers (e.g. #21 and #31), associated telephone numbers (e.g. 1-708-713-7150), functions (e.g. **05 - a five second pause) and a four digit number (e.g. PIN or other code/variable) (col. 4, lines 5-28; Figure 1). Using the speed dialing numbers, the speed call entry or string of numbers including pause or other functions, are triggered (col. 4, lines 19-22). However, Garland does not disclose using alphabetical abbreviations for a name of a telecommunications service where a subscription to the telecommunications service is initially established.

The Examiner noted on page 3 of the Final Office Action that provisioning was being

interpreted to include both the disclosure of Furman regarding supplying for use and the Applicants use for initial subscription. During the interview, the Examiner indicated that the amendment for initial subscription distinguished over Furman. There is no suggestion to initially establish a subscription to a telecommunications service using alphabetical abbreviations for a name telecommunications service.

As used herein, initial subscription includes a "re-subscription" to a canceled service.

DEPENDENT CLAIMS 2-5, 8-10, 13-16 AND 19-21:

The above listed dependent claims depend from the independent claims discussed above. Therefore, these dependent claims are allowable for the same reasons. Furthermore, limitations of some of the dependent claims are not suggested by the Examiner cited sections of the references. For example, Garland discloses a dialing analysis program to invoke a function at col. 4, lines 41-45, but does not disclose determining an availability of a telecommunications service for the originating party as claimed in claims 8 and 19. Garland discloses invoking any of the available functions or functions that may be added in the future, but does not inherently required determining an availability. The codes may be used in Garland that do not result in an invocation (i.e. Garland would either work or not work based on availability, so does not inherently provide a determination prior to provisioning as claimed in claims 8 and 19.

DEPENDENT CLAIMS 6 AND 17:

The above listed dependent claims depend from the independent claims discussed above. Therefore, these dependent claims are allowable for the same reasons. Furthermore, the combination cited by the Examiner would not suggest the limitations of claims 6 and 17. Furman discloses using alphabetical codes for call routing to a type of destination – a voice mail destination, a fax destination, a business phone destination and others. Strauss et al. disclose a caller identification feature. Furman deals with routing, and caller identification is not a number to be called. Therefore, there is no suggestion to provision caller identification by dialing a CI code.

DEPENDENT CLAIMS 7, 11, 18 AND 22:

The above listed dependent claims depend from the independent claims discussed above. Therefore, these dependent claims are allowable for the same reasons. Furthermore, the combination cited by the Examiner would not suggest the limitations of these dependent claims. Furman discloses using alphabetical codes for call routing to a type of destination – a voice mail destination, a fax destination, a business phone destination and others. Mirville et al. disclose a menu structure for associating a code (e.g. *9) with a service (e.g. call waiting). Furman deals with routing, and call waiting is not a number to be called. Therefore, there is no suggestion to provision call waiting by dialing a “cw” code as claimed in claims 7 and 18.

Regarding claims 11 and 22, Mirville et al. disclose providing feature lists during a phone call at col. 2, lines 43-60, not communicating a written correspondence in dependence on the trigger. The Examiner separately defines “written” and “correspondence.” Separate definitions do not adequately define the term of art “written correspondence.” Mirville disclose a displayed list associated with numbers, not “written correspondence.”

INDEPENDENT CLAIMS 24, 30 AND 37:

Limitations of claims 24, 30 and 37 distinguish over Furman in combination with Garland and further in view of Mirville et al. In particular, if Furman, Garland and Mirville et al. were combined, a system and method different from the claims would have resulted. A person of ordinary skill in the art would not have combined Furman, Mirville et al. and Garland to provide the method, system and article of manufacture of claims 24, 30 and 37.

As admitted by the Examiner, Furman does not disclose providing a menu of a plurality of telecommunication options. Garland does not disclose menus, so does not disclose menus provided in response to a trigger based upon a dialed code.

Mirville et al. disclose a method for providing communications services users with information related to services features (col. 1, lines 5-8). The method of communication comprises providing a visual display of available features and associated codes (col. 7, lines 28-31). In particular, ADSI-compatibility (col. 3, lines 53-63), ISDN (col. 4, lines 9-11) or CATV (col. 4, lines 10-15) systems are provided to allow display of the available features. The service

features provided by communications carriers include: call waiting, call forwarding and three-way calling (col. 1, lines 15-20; col. 2, lines 43-59; Figure 4). One feature disclosed is speed dialing where abbreviated codes and associated frequently called numbers are stored and may be displayed to the user (col. 6, lines 13-22).

The combination of Furman, Garland and Mirville et al. would not have provided a menu of a plurality of telecommunications options in response to the trigger based upon a dialed code. First, Furman disclosed dialing *M for routing a call to a messaging service (col. 1, lines 43-46). There is no suggestion to connect the *M with a trigger for providing a menu. The Examiner noted that Furman teaches using an abbreviation for the service name and that M would thus represent "Menu". However, Furman teaches away from using "M" for a menu. The alphabetical designations of Furman are used for routing, such as to a messaging service, not a menu. Given only one "M", a person of ordinary skill in the art would have followed the clear suggestion in Furman of "M" for messaging service.

The Examiner also noted that messaging services provide menus to callers. However, claims 24, 30 and 37 require that telecommunications options available in response to the trigger correspond to telecommunications network services. Messaging services provide options for listening or leaving messages associated with the message service, not telecommunications network services. For example, messaging services do not provide telecommunications network services like conference calling, calling back the last person that called a number, turn-off call waiting, blocking caller-ID, reporting service trouble, calling directory assistance or others. As a result, any combination of Mirville with Furman and Garland would have used "M" for the messaging service and associated functions, not for a menu of options corresponding to telecommunications network services.

Second, the "menu of options" of Mirville et al. would have been used to invoke the routing list of Furman, not to provide a menu of telecommunications options corresponding to telecommunications network services. Furman discloses controlling the routing of a telephone call (col. 1, lines 10-11 and 29-32). To avoid memorizing different numbers associated with an individual, only one of the numbers and a suffix code is needed to call any of the numbers (col. 1, lines 32-46 and col. 3, lines 3-16). A table of numbers and associated suffixes for a subscriber

is maintained for routing calls (col. 3, lines 48-58 and Figure 2). The suffixes assigned to each number correspond to an alphabetical representation of the expected number, such as F for fax or VM for voice mail (col. 3, lines 48-58 and col. 4, lines 47-58). Based on the number and suffix dialed, the call is routed to the appropriate destination (col. 4, lines 34-46 and col. 7, lines 3-6).

The Examiner notes that Mirville was used to add the feature of providing a menu of options in response to a dialed service activation code. Adding the menu of options capabilities disclosed by Mirville et al. to Furman would provide a display of features. The Examiner relies on Furman for the features. Converse to Mirville et al, the Furman features comprise abbreviated codes and associated frequently called numbers (col. 6, lines 13-22). Furman et al. does not provide for telecommunications options corresponding to telecommunications network services. Using just the "menu of options" capability of Mirville in combination with Furman, a person of ordinary skill in the art would not have provided for the claimed menu.

Third, Mirville et al. do not disclose activating the menu in response to a dialed menu service activation code. The menu of options of Mirville et al. are responsive to an off-hook signal (col. 6, lines 28-31), busy, ring-no-answer (col. 7, lines 3-7), and answered call (col. 7, lines 32-41). The pre-call menu cited by the Examiner is provided in response to receipt of the calling and called party numbers (col. 6, lines 55-61). The Examiner notes that a service activation code is dialed and, in response, a number is dialed and the menu retrieved. However, the service activation code that is dialed in step 503 noted by the Examiner is a code for speed dialing a number (col. 6, lines 37-47). Mirville et al. do not disclose activating the menu in response to a dialed menu service activation code.

A person of ordinary skill in the art would not have combined these three references to provide the limitations of claims 24, 30 and 37.

DEPENDENT CLAIMS 25-29 AND 31-36:

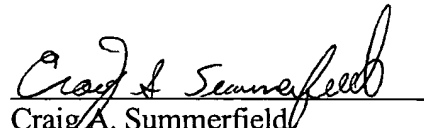
The above listed dependent claims depend from the independent claims discussed above. Therefore, these dependent claims are allowable for the same reasons. Furthermore, limitations of some of the dependent claims are not suggested by the Examiner cited sections of the references. For example, Furman discloses receiving a first called number with a suffix and

forming a message for selecting of a second number associated with the first number and the suffix at col. 4, lines 10-18. The message is not a translation of a selection to a service code as claimed in claims 29 and 36. The message provides routing information, not a service code translated from a selection of the originating party.

Conclusion

In view of the remarks, the Applicant respectfully submits that the pending claims are in condition for allowance. If any issues remain, it is requested that the Examiner call the undersigned at (312) 321-4726 so that an interview can be arranged.

Respectfully submitted,


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APPENDIX A

24. (amended) A method comprising the steps of:

initiating a telecommunications network trigger based upon a menu code dialed from an originating party, the menu code including at least one of “*M” and “#M”; and
providing a menu of a plurality of telecommunications options corresponding to telecommunications network services, the menu provided in response to the telecommunications network trigger.

30. (amended) A system comprising:

a network element to provide a menu of a plurality of telecommunication options corresponding to telecommunications network services, the menu provided in response to a telecommunication network trigger, the telecommunications network trigger based upon a menu code dialed from an originating party, the menu code including at least one of “*M” and “#M”.

37. (amended) An article of manufacture comprising:

a computer-readable storage medium; and
computer-readable data stored by the computer-readable storage medium, the computer-readable data to direct a network element to provide a menu of a plurality of telecommunication options corresponding to telecommunications network services, the menu provided in response to a telecommunication network trigger, the telecommunication network trigger based upon a menu code dialed from an originating party, the menu code including at least one of “*M” and “#M”.